

## Notification of Special Compliance Requirements

### THIS IS A SAMPLE NOTIFICATION FORM, WHICH CAN BE USED BY FACILITIES AT THEIR DISCRETION TO MEET COMPLIANCE WITH 40 CFR 63 Subpart A, §63.9(d)

Applicable Rule: 40 CFR Part 63, Subpart A — National Emission Standards for Hazardous Air Pollutants for Source Categories, Subpart A — General Provisions. Notification of special compliance requirements is being made in accordance with §63.6(b)(5) and §63.9(d).

*Note: If your affected source is a new source that commenced construction or reconstruction between the proposal and effective date (e.g., also known as the promulgation or final rule date) of a relevant emission standard, you are subject to special compliance requirements under §63.9(d) and §63.6(b)(3)-(4). [See Flow Diagram for Determining a Source's Compliance Date for more information – eventual hyperlink]*

*Notification of special compliance requirements reports are due not later than 120 calendar days after the effective date of the relevant standard, or within 120 calendar days after the affected source becomes subject to the relevant standard, as required under §63.9(d), §63.9(b), §63.9(b)(2)]*

#### SECTION I GENERAL INFORMATION

A. If your affected source is ***not a new source***, do not complete this form. The affected source is not subject to special compliance requirements (§63.6(b)(5))

*Note: A new source is any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part establishing an emission standard applicable to such source.*

B. If your affected source ***is a new source and*** construction or reconstruction commenced **prior** to the proposal date **or after** the effective date of the relevant standard, do not complete this form. The affected source is not subject to special compliance requirements. (§63.6(b)(5))

C. If your affected source ***is a new source and*** construction or reconstruction commenced **between** the proposal date **and** effective date of the relevant standard, complete the remaining portions of this section and complete Sections II and III. (§63.6(b)(5))

D. Print or type the following information for each facility for which you are making notification of special compliance requirements: (§63.9(b)(2))

Operating Permit Number (OPTIONAL)		Facility I.D. Number (OPTIONAL)	
WV03 – 012 – PWP01			
Responsible Official's Name/Title			
William B. Parker – General Manager			
Street Address			
121 Poplar Street			
City	State	ZIP Code	
Point Pleasant	West Virginia	26508	
Facility Name (if different from Responsible Official's Name)			
same			
Facility Street Address (If different than Responsible Official's Street Address)			
same			
Facility Local Contact Name		Title	Phone (OPTIONAL)
Bill Parker, Jr.		Operations Manager	
City	State	ZIP Code	
Point Pleasant	West Virginia	26508	

E. Is your source a new major-emitting affected source? (§63.5(d)(1)(i))

☒ Yes ☐ No

F. If you answered yes, have you submitted an application for approval of construction or reconstruction for this new source? (§63.5(d)(1)(i))

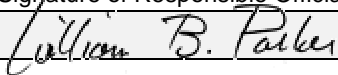
☒ Yes ☐ No

G. If you answered no, you should submit the application for approval of construction or reconstruction in conjunction with this notification of special compliance requirements. (§63.9(d), §63.9(b)(4)) [See Example Form 63.9(d) – future link]

## SECTION II

### CERTIFICATION (Note: you may edit the text in this section as deemed appropriate)

Based upon information and belief formed after a reasonable inquiry, I, as a responsible official of the above-mentioned facility, certify the information contained in this report is accurate and true to the best of my knowledge.

Name of Responsible Official (Print or Type)	Title	Date (mm/dd/yy)
William B. Parker	General Manager	March 20, 2002
Signature of Responsible Official		
		

*Note: Responsible official is defined under §63.2 as any of the following: the president, vice-president, secretary, or treasurer of the company that owns the plant; the owner of the plant; the plant engineer or supervisor; a government official if the plant is owned by the Federal, State, city, or county government; or a ranking military officer if the plant is located on a military installation.*

### SECTION III COMPLIANCE WITH SPECIAL REQUIREMENTS

A. Did construction or reconstruction of the new affected source commence **after** the proposal date of a relevant 112(d), 112(f), or 112(h) standard, **but before** the effective date (i.e., promulgation) of the relevant standard? (§63.6(b)(3))

☒ Yes ☐ No (*if no, go to III.B*)

*Note: Section 112(d) standards apply to categories or subcategories of major sources and area sources of hazardous air pollutants (HAPs) listed pursuant to Section 112(c). Section 112(f) standards apply to the Residual Risk Program, which promulgates health-based standards for source categories to further reduce HAP emissions. Section 112(h) standards apply to design, equipment, work practices, or operations where it is not feasible to prescribe or enforce an emission standard under Section 112(d) or 112(f).*

1. Will your new affected source be in compliance with the **proposed** standard during the 3-year period immediately following the effective date of the relevant standard? §63.6(b)(3)(ii)

☐ Yes ☒ No

2. If you answered no, please complete the table below.

Required Compliance Date (mm/dd/yy)	Scheduled Compliance Date (mm/dd/yy)
April 1, 2006	October 1, 2006
Reason(s) why new affected source will not comply with proposed standard by required compliance date	
New control equipment that will allow us to meet the proposed emission limits will not be installed and operational until mid-summer 2005. Performance testing for capture/destruction efficiencies and establishing operating parameters for the control device cannot be completed until September 2005. Therefore, October 2006 is the earliest date that we can document compliance with the proposed limits using real coatings and control data for the 12-month (initial) compliance period.	

3. If the promulgated standard is more stringent than the proposed standard, will your affected source be in compliance with the **promulgated** standard no later than the date 3 years after the effective date of the relevant standard? (§63.6(b)(3)(i))

☐ Yes ☒ No

*Note: for purposes here, a finding that controls or compliance methods are "more stringent" shall include control technologies or performance criteria and compliance or compliance assurance methods that are different, but are substantially equivalent to those required by the promulgated rule, as determined by the Administrator or his or her authorized representative.*

4. If you answered no, please complete the table below.

Required Compliance Date (mm/dd/yy)	Scheduled Compliance Date (mm/dd/yy)
April 1, 2006	October 1, 2006
Reason(s) why new affected source will not comply with promulgated standard by required compliance date	
If the promulgated emission limits are lower (more stringent) than the proposed limits by more than 5%, the planned control technology will have to be re-evaluated to determine if the combined low-HAP coatings and capture and destruction efficiencies can even theoretically meet the lower emission limits.	

B. Did construction or reconstruction of the new affected source commenced **after** the proposal date of a relevant 112(d) standard, **but before** the proposal date of a relevant 112(f) standard? (§63.6(b)(4))

☐ Yes ☒ No (*if no, end of form*)

1. If the relevant 112(f) emission standard is promulgated **less than 10 years** after the commencement of construction or reconstruction, will your new affected source be in compliance with the effective 112(f) standard **no later than** the date 10 years after the date that you commenced construction or reconstruction on the affected source? (§63.6(b)(4))

☐ Yes ☐ No

2. If you answered no, please complete the following table.

Required Compliance Date (mm/dd/yy)	Scheduled Compliance Date (mm/dd/yy)
Reason(s) why new affected source will not comply with effective 112(f) standard by required compliance date	

3. If the relevant 112(f) emission standard is promulgated **more than 10 years** after the commencement of construction or reconstruction, **and** the new affected source has an initial start up **before the effective date** of the relevant standard, will your new affected source be in compliance with the effective 112(f) standard **no later than** the standard's effective date? (§63.6(b)(4); §63.6(b)(1))

☐ Yes ☐ No

4. If you answered no, please complete the following table.

Required Compliance Date (mm/dd/yy)	Scheduled Compliance Date (mm/dd/yy)
Reason(s) why new affected source will not comply with effective 112(f) standard by required compliance date	

5. If the relevant 112(f) emission standard is promulgated **more than 10 years** after the commencement of construction or reconstruction, **and** the new affected source has an initial start up **after the effective date** of the relevant standard, will your new affected source be in compliance with the effective 112(f) standard **upon startup of the source?** (§63.6(b)(4); §63.6(b)(2))

☐ Yes ☐ No

6. If you answered no, please complete the following table.

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Required Compliance Date (mm/dd/yy)	Scheduled Compliance Date (mm/dd/yy)
Reason(s) why new affected source will not comply with effective 112(f) standard by required compliance date	

**END OF FORM. A Responsible Official must sign this form – See Section II.**